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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,718	06/27/2003	Kevin T. Rowney	006224.P001X3	9417

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EXAMINER

DAYE, CHELCIE L

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/607,718

Applicant(s)

ROWNEY ET AL.

Examiner

Chelcie Daye

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is issued in response to applicant's amendment filed on May 09, 2006.
2. Claims 1-32 are presented. No claims were added and none cancelled.
3. Claims 1-32 are pending.
4. Applicant's arguments filed May 09, 2006, have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shannon (US Patent No. 6,233,618) filed March 31, 1998, in view of Brandt (US Patent No. 5,892,905) filed December 23, 1996.**

Regarding Claims 1,20, and 32, Shannon discloses a method comprising:

searching contents of a plurality of data storage media (column 5, lines 6-20, Shannon) for pre-selected data¹ (Fig.2, item 208; column 8, lines 26-30, Shannon); and

upon detecting² at least a portion of the pre-selected data (column 14, lines 26-29, Shannon), sending a notification³ of detection of the pre-selected data to a system via a network (Fig.4, item 214; column 14, lines 29-32, Shannon). However, Shannon is silent with respect to the plurality of data storage media being of a client device. On the other hand, Brandt discloses the client device⁴ (column 6, lines 3-13, Brandt). Shannon and Brandt are analogous art because they are from the same field of endeavor of accessed control of data. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Brandt's teachings into the Shannon system. A skilled artisan would have been motivated to combine in order to ensure reliability without undue disruption in running the software processes, thus allows the user to be more mobile and effective.

Regarding Claim 2, the combination of Shannon in view of Brandt, disclose a method further comprising:

¹ Examiner Notes: Database 208 is created separately and distributed to different organizations (column 9, lines 15-18 and 39-43, Shannon), rendering the information provided as pre-selected.

² Examiner Notes: Detection corresponds to matches.

³ Examiner Notes: The notification to the system is the act of denying access.

⁴ Examiner Notes: Since the client and server can be the same physical and logical system, the data storage media being searched must also be located within the client.

upon detecting at least a portion of the pre-selected data (column 14, lines 26-29, Shannon), preventing access to the detected data (column 14, lines 37-41, Shannon).

Regarding Claims 3 and 21, the combination of Shannon in view of Brandt, disclose a method wherein the content is searched periodically (columns 9-10, lines 64-67 and 1, respectively, Shannon).

Regarding Claims 4 and 22, the combination of Shannon in view of Brandt, disclose a method wherein the content is searched with the client device is disconnected from the network (column 17, lines 46-55, Brandt).

Regarding Claims 5 and 23, the combination of Shannon in view of Brandt, disclose a method wherein sending a notification comprises:

upon detecting the pre-selected data (column 14, lines 26-29, Shannon), creating a message containing the notification of the detection of the pre-selected data (Fig.4, item 214; column 14, lines 42-46, Shannon);

placing the message in a transmission queue⁵ (column 12, lines 37-45, Shannon); and

transmitting the message to the system after the client device is re-connected to the system (column 18, lines 24-30, Brandt).

⁵ Examiner Notes: The transmission queue corresponds to "TCP/IP".

Regarding Claims 6 and 24, the combination of Shannon in view of Brandt, disclose a method further comprising:

receiving instructions defining a scope of a search⁶ for the client device from the system (column 9, lines 32-39, Shannon).

Regarding Claim 7, the combination of Shannon in view of Brandt, disclose a method wherein searching contents of a plurality of data storage media within a client device comprises:

receiving an abstract data structure⁷ associated with the pre-selected data (column 8, lines 49-51, Shannon); and

utilizing the abstract data structure (column 8, lines 51-56, Shannon) when searching the contents of the plurality of data storage media (column 5, lines 6-20, Shannon) of the client device (column 6, lines 3-13, Brandt) for the pre-selected data (Fig.2, item 208; column 8, lines 26-30, Shannon).

Regarding Claims 8 and 25, the combination of Shannon in view of Brandt, disclose a method wherein searching contents of a plurality of data storage media of the client device comprises monitoring one or more specific

⁶ Examiner Notes: The Network Management Protocol controls the configuration and content within a database, as well as updating the database information periodically. As a result, the "Management Protocol" corresponds with the action of receiving instructions and the controlling and updating of the content corresponds to the action of defining a scope for a search.

⁷ Examiner Notes: Table 3 is a form of an index data structure, which corresponds with abstract data structure.

data operations (column 13, lines 23-34, Shannon) for presence of at least a portion of the pre-selected data (column 14, lines 26-29, Shannon).

Regarding Claims 9 and 26, the combination of Shannon in view of Brandt, disclose a method wherein at least one of the one or more specific data operations is selected from the group consisting of a file-read, a file-write, a file-update (column 9, lines 27-31, Shannon), a read from a removable media device, a write to a removable media device, and access of data stored on any of the plurality of data storage media by a program running on the client device (column 12, lines 24-31, Shannon).

Regarding Claim 10, the combination of Shannon in view of Brandt, disclose a method wherein the pre-selected data has a tabular format (column 8, Table 3, Shannon).

Regarding Claim 11, the combination of Shannon in view of Brandt, disclose a method wherein the pre-selected data is capable of being re-structured into a tabular format based on relationships among elements (column 7, Table 2 and lines 58-64, Shannon) of the pre-selected data (Fig.2, item 208; column 8, lines 26-30, Shannon).

Regarding Claim 12, the combination of Shannon in view of Brandt, disclose a method wherein the pre-selected data is maintained by an organization in at least one of a spreadsheet, a flat file, and a database (column 8, lines 24-30, Shannon).

Regarding Claim 13, the combination of Shannon in view of Brandt, disclose a method wherein the pre-selected data is associated with an abstract data structure comprising a tuple-storage structure⁸ derived from the pre-selected data (column 8, Table 3, Shannon).

Regarding Claim 14, the combination of Shannon in view of Brandt, disclose a method wherein the abstract data structure comprises a plurality of tuples, each of the plurality of tuples including a row numbers of a data item in a corresponding cell of a tabular structure of the pre-selected data (column 8, Table 3 and lines 49-51, Shannon; wherein the plurality of tuples correspond to the multiple rows and also the rows within Table 3 are numbered which corresponds to the “including row numbers of a tabular structure”).

Regarding Claim 15, the combination of Shannon in view of Brandt, disclose a method wherein each of the plurality of tuples additionally includes a

⁸ Examiner Notes: The tuple-storage structure is Table 3 shown with numbered rows.

column number (column 8, lines 57-62, Shannon) and optionally a column type of the data item in the corresponding cell.

Regarding Claims 16 and 27, the combination of Shannon in view of Brandt, disclose a method wherein the plurality of data storage media is selected from the group consisting of a main memory ("DRAM"; column 10, lines 8-11, Brandt), a static memory, and a mass storage memory.

Regarding Claims 17 and 28, the combination of Shannon in view of Brandt, disclose a method wherein searching contents of a plurality of data storage media comprises:

searching content of each volatile storage device⁹ within the plurality of data storage media (column 10, lines 53-61, Brandt); and

searching content of each persistent storage device within the plurality of data storage media (column 10, lines 53-61, Brandt).

Regarding Claims 18 and 29, the combination of Shannon in view of Brandt, disclose a method further comprising detecting use of the pre-selected data by an application¹⁰ running on the client device (column 6, lines 8-15, Shannon).

⁹ Examiner Notes: The volatile storage device corresponds to DASD (Direct Access Storage Device).

Regarding Claims 19 and 30, the combination of Shannon in view of Brandt, disclose a method further comprising:

- identifying the application using the pre-selected data (column 10, lines 51-59, Shannon); and
- reporting the identified application (column 10, lines 59-64, Shannon).

Regarding Claim 31, the combination of Shannon in view of Brandt, disclose a client device comprising:

- a plurality of storage media storing various data (column 6, lines 29-33, Shannon); and
- at least one processor coupled to the plurality of storage media (column 5, lines 8-13, Shannon), at least one processor executing a set of instructions which cause the processor to search contents of the plurality of data storage media (column 10, lines 2-6, Shannon) for pre-selected sensitive data (Fig.2, item 208; column 8, lines 26-30, Shannon), and to send a notification of detection of the pre-selected sensitive data to a system via a network (Fig.4, item 214; column 14, lines 29-32, Shannon) if at least a portion of the pre-selected sensitive data is detected (column 14, lines 26-29, Shannon).

¹⁰ Examiner Notes: The application corresponds to a "network device", which has access to the databases and permits data communication (column 5, lines 12-20, Shannon).

Response to Arguments

Applicant argues, "Brandt does not help Shannon to render the presently claimed invention unpatentable because Brandt lacks the same limitation that is missing from Shannon (i.e. searching contents of data storage media)".

Examiner respectfully disagrees. As stated in the action above, Shannon discloses "searching contents of a plurality of data storage media" at column 5, lines 6-20. Therefore, applicant's argument that Brandt lacks the above limitation is invalid because Brandt was not relied upon within the above action, in order to reject that specific limitation. However, Shannon discloses a network device having multiple access control databases. Within those databases the invention provides an access control mechanism for all data information requests or application download requests made from clients to servers. As a result, Shannon discloses searching contents of a plurality of data storage media.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

Art Unit: 2161

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

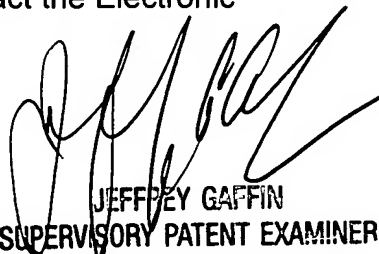
Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chelcie Daye whose telephone number is 571-272-3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chelcie Daye
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June 14, 2006


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